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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/648,474	08/21/2000	Brian Mark Shuster	409475-5	5826
7590	06/14/2004			EXAMINER NGUYEN, DUSTIN
Brian M. Berliner OMELVENY & MYERS LLP 400 South Hope Street Los Angeles, CA 90071-2899			ART UNIT 2154	PAPER NUMBER 9
DATE MAILED: 06/14/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)	<i>[Signature]</i>
	09/648,474	SHUSTER ET AL.	
	Examiner	Art Unit	
	Dustin Nguyen	2154	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 19 March 2004.

2a) This action is FINAL. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-36 and 41-49 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1-36 and 41-49 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some \* c) None of:

- Certified copies of the priority documents have been received.
- Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
- Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_

4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_

5) Notice of Informal Patent Application (PTO-152)

6) Other: \_\_\_\_\_

**DETAILED ACTION**

1. Claims 1 – 36, 41-49 are presented for consideration.

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-10, 12, 16, 17, 29-35, 41-44, are rejected under 35 U.S.C. 103(a) as being unpatentable over Ginn [ US Patent No 6,275,811 ], in view of Bergh et al. [ US Patent No 6,112,186 ].

4. As per claim 1, Ginn discloses the invention substantially as claimed including a method for exchanging information within a group of users on a wide area network, comprising the steps of:

receiving posts of information from said users on a wide area network [ col 1, lines 11-16 and 24-28 ];

storing said posts in a memory [ col 4, lines 61-67 ];

providing said users an option to rate each of said posts in relation to a defined topic [ col 2, lines 9-13; and col 6, lines 39-50 ];

receiving rating data pertaining to selected ones of said posts from said users [ col 5, lines 1-17 ], wherein at least a portion of said rating data comprises ratings of comparative relevance of said selected ones of said posts to said defined topic [ col 8, lines 56-67 ];

storing said rating data in said memory [ col 13, lines 16-col 14, lines 3 ]; and

providing said users an option to receive said rating data defining comparative relevance values associated with said selected ones of said posts equally for said users [ col 6, lines 17-38 ].

Ginn does not specifically disclose

ratings determined by said users after reviewing said selected ones of said posts.

Bergh discloses

ratings determined by said users after reviewing said selected ones of said posts [ col 1, lines 39-48 ].

It would have been obvious to a person skill in the art at the time the invention was made to combine the teaching of Ginn and Bergh because Bergh's teaching would allow users to provide feedback information for posts in an efficient manner.

5. As per claim 2, Ginn discloses providing on a wide area network a Web page displaying at least one of said posts [ Figure 1; and col 10, lines 32-37 ], and providing said users an option to contribute at least one of said posts using said Web page [ col 11, lines 41-47 ].

6. As per claim 3, Ginn discloses providing a Web page on a wide area network [ col 4, lines 61-65 ], said Web page having a toggle object providing users an option of displaying at

least a portion of said posts grouped according to a subject thread, and not grouped according to a subject thread [ col 6, lines 18-24 ].

7. As per claim 4, Ginn discloses a Web page on a wide area network [ Figure 1, and col 11, lines 41-47 ], said Web page having a vote object providing users said option to rate said posts [ col 6, lines 48-56 ].

8. As per claim 5, Ginn discloses providing said users said option to rate each of said posts according to at least one predetermined criteria [ col 10, lines 2-3 ].

9. As per claims 6 and 7, Ginn discloses providing said users said option to rate each of said posts according to whether said each of said posts comprises a flame and spam [ col 6, lines 52-56 ].

10. As per claim 8, Ginn discloses aggregating said rating data recorded in said memory for each post in said selected ones of said posts [ col 8, lines 50-53 ].

11. As per claim 9, Ginn discloses developing an aggregate post score based on said rating data for each post in said selected ones of said posts according to at least one predetermined criteria [ col 3, lines 49-63 ].

12. As per claim 10, Ginn discloses providing users said option to receive said rating data recorded in said memory by receiving said aggregate post score for each post in said selected ones of said posts [ col 11, lines 63-64 ].

13. As per claim 12, Ginn does not specifically disclose associating said rating data recorded in said memory with at least one of said users according to at least one post provided by said at least one user to produce user-associated rating data. Bergh discloses associating said rating data recorded in said memory with at least one of said users according to at least one post provided by said at least one user to produce user-associated rating data [ Figure 2; and col 3, lines 47-col 4, lines 4 ]. It would have been obvious to a person skill in the art at the time the invention was made to combine the teaching of Ginn and Bergh because Bergh's teaching would allow to determine the important of the posts in a reliable manner.

14. As per claim 16, Ginn discloses defining a topic for said posts of information prior to said first receiving step [ col 1, lines 24-26 ].

15. As per claim 17, Ginn discloses providing said users said option to individually rate each of said posts according to whether said each of said posts is relevant to said topic [ col 2, lines 33-35 ], and wherein said second receiving step further comprises receiving said rating data comprising information about the topical relevance of said selected ones of said posts [ col 5, lines 24-31 ].

Art'Unit: 2154

16. As per claim 29, Ginn does not specifically disclose receiving preference information from at least one of said users, wherein said preference information specifies a threshold criteria for filtering said posts according to said rating data, and further comprising storing said preference information in said memory. Bergh discloses receiving preference information from at least one of said users, wherein said preference information specifies a threshold criteria for filtering said posts according to said rating data, and further comprising storing said preference information in said memory [ Abstract; col 10, lines 27-46 ]. It would have been obvious to a person skill in the art at the time the invention was made to combine the teaching of Ginn and Bergh because Bergh's teaching would allow to maintain a profile for users so that information can be provided to users according to user's needs.

17. As per claim 30, Ginn discloses filtering said posts to identify desired posts by rejecting posts that do not meet said threshold criteria specified by said preference information, providing a Web page to said at least one of said users on a wide area network, and displaying at least one post of said desired posts on said Web page [ col 6, lines 24-28 ].

18. As per claim 31, Ginn discloses providing a Web page having a tolerance bar for providing said at least one user an option to send said preference information for storing in said memory [ col 11, lines 28-39 ].

19. As per claim 32, it is rejected for similar reasons as stated above in claims 2 and 29.

20. As per claim 33, it is rejected for similar reason as stated above in claims 1 and 16.
21. As per claim 34, it is rejected for similar reasons as stated above in claims 17 and 18.
22. As per claim 35, Ginn discloses wherein said steps are repeated in any logical order causing the number of said posts stored in said memory and the amount of said rating data stored in said memory to increase [ col 1, lines 36-50 ].
23. As per claim 41, it is apparatus claimed of claim 1, it is rejected for similar reasons as stated above in claim 1.
24. As per claim 42, it is rejected for similar reasons as stated above in claims 33 and 34.
25. As per claim 43, it is method claimed of claims 41 and 42, it is rejected for similar reasons as stated above in claims 41 and 42.
26. As per claim 44, it is rejected for similar reasons as stated above in claims 2 and 34.

27. Claims 11, 13-15, 18-28, 36, 45-49 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ginn [ US Patent No 6,275,811 ], in view of Bergh et al. [ US Patent No 6,112,186 ], and further in view of Dunkle [ US Patent No 6,288,717 ].

28. As per claim 11, Ginn and Bergh do not specifically disclose providing users said option to view said rating data by presenting to users said selected ones of said posts ranked according to said aggregate post score. Dunkle discloses providing users said option to view said rating data by presenting to users said selected ones of said posts ranked according to said aggregate post score [ col 3, lines 36-48; and col 8, lines 29-34 ]. It would have been obvious to a person skill in the art at the time the invention was made to combine the teaching of Ginn, Bergh and Dunkle because Dunkle's teaching would allow to provide a data management system that will allow Web surfers to receive information in accordance with their interests [ Dunkle, col 1, lines 59-61 ].

29. As per claim 13, Dunkle discloses a step of ranking said users according to a value of said user-associated rating data associated with each said at least one user [ col 10, lines 44-47 ].

30. As per claim 14, Ginn discloses developing an aggregate user score for each user, wherein each said aggregate user score contains information about said value of said user-associated rating data [ col 4, lines 61-67 ].

31. As per claim 15, Ginn disclose providing users an option to receive said aggregate user score for each user [ Abstract ].

32. As per claim 18, it is rejected for similar reasons as stated above in claim 2. Furthermore, Ginn and Bergh do not specifically disclose providing on said Web page a plurality of links to a plurality of related Web pages containing information relevant to said topic, in addition to said posts. Dunkle discloses providing on said Web page a plurality of links to a plurality of related Web pages containing information relevant to said topic, in addition to said posts [ col 1, lines 24-39; and col 3, lines 2-6 ]. It would have been obvious to a person skill in the art at the time the invention was made to combine the teaching of Ginn, Bergh and Dunkle because Dunkle's teaching would allow personalized information to be automatically delivered to users in an efficient manner.

33. As per claim 19, Dunkle discloses providing said users an option to rate each of said plurality of related Web pages linked to said Web page by said links [ col 5, lines 29-38 ].

34. As per claim 20, Dunkle discloses receiving link rating data pertaining to selected ones of said links from said users, wherein at least a portion of said link rating data comprises a rating of comparative relevance of said selected ones of said links to said defined topic, and wherein said selected ones of said links comprises links to selected ones of said plurality of related Web pages that have been received and rated by said users [ Figure 33; and col 6, lines 46-51 ].

35. As per claim 21, Dunkle discloses ranking said links according to said link rating data on said Web page [ i.e. highest order ] [ Abstract ].

36. As per claim 22, Dunkle discloses presenting said links on a menu of said Web page [ Figure 17 ].

37. As per claim 23, Dunkle discloses presenting said links grouped in a plurality of menus of said Web page, wherein each of said plurality of menus contains links pertaining to a category, wherein said category is selected from top links and nominated links [ col 6, lines 16-27 ].

38. As per claim 24, Dunkle discloses at least one link to at least one related Web page configured to display posts relevant to a second topic, wherein said second topic is related to said topic [ Figures 10-16 ].

39. As per claim 25, Ginn discloses providing said users an option to rate said at least one related Web page [ col 10, lines 38-41 ]. Ginn and Bergh do not specifically disclose receiving link rating data pertaining to said at least one link from said users, wherein at least a portion of said link rating data comprises information about the relatedness of said second topic and said topic. Dunkle discloses receiving link rating data pertaining to said at least one link from said users, wherein at least a portion of said link rating data comprises information about the relatedness of said second topic and said topic [ Figure 17 ]. It would have been obvious to a

person skill in the art at the time the invention was made to combine the teaching of Ginn, Bergh and Dunkle because Dunkle's teaching would allow additional information to be provided to user according to user's interests.

40. As per claim 26, it is rejected for similar reasons as stated above in claim 18.

Furthermore, Ginn and Bergh do not specifically disclose wherein at least one of said plurality of related Web pages contains at least one link back to said Web page. Dunkle discloses wherein at least one of said plurality of related Web pages contains at least one link back to said Web page [ Figure 17; and col 1, lines 15-17 ]. It would have been obvious to a person skill in the art at the time the invention was made to combine the teaching of Ginn, Bergh, and Dunkle because Dunkle's teaching would to retrieve information faster and reduce surfing time.

41. As per claim 27, Dunkle discloses counting use of said at least one link back to said Web page to link to said Web page during a predetermined interval of time, and ranking said plurality of links according to said count [ i.e. day rating ] [ col 3, lines 48-61 ].

42. As per claim 28, Dunkle discloses performing an action selected from adding a link to said plurality of links, and deleting a link from said plurality of links, according to a ranking determined in said ranking step [ col 6, lines 22-25 ].

43. As per claim 36, Dunkle discloses an initial step of receiving an address for a Web page from a founding user, and wherein said step of providing a Web page further comprises

providing a link on said Web page, said link comprising said address from said founding user [  
Figure 17].

44. As per claim 45, it is rejected for similar reasons as stated above in claims 18 and 34.

45. As per claim 46-49, they are rejected for similar reasons as stated above in claims 19-22.

46. Applicant's arguments with respect to claims 1-36, 41-49 have been considered but are moot in view of the new ground(s) of rejection.

47. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dustin Nguyen whose telephone number is (703) 305-5321. The examiner can normally be reached on Monday – Friday (8:00 – 5:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on (703) 305-8498.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directly to the receptionist whose telephone number is (703) 305-3900.

Dustin Nguyen



JOHN FOLLANSBEE  
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